

Randy S. Ludlow, Utah Bar No. 2011  
Attorney for Defendant  
185 S. State, Street, Suite 208  
Salt Lake City, Utah 84111  
Phone Number: (801) 531-1300  
Fax: (801) 328-0173

---

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

CODY BEARDALL,

Defendant.

**SECOND MOTION FOR EXTENSION  
OF TIME FOR MOTION FILING  
DEADLINE**

Case No.: 2:13-cr-00062

Judge Ted Stewart

---

The defendant, Cody Beardall, by and through his attorney of record, Randy S. Ludlow, hereby moves the court for an order extending the motion deadline in this case. This motion is based upon the fact that counsel needs additional time to complete the review of discovery prior to determining what motions, if any, need to be brought before this court. The previous extension deadline of March 25, 2013, was overly optimistic in this matter and the additional time of eight (8) weeks is needed to have the discovery placed into searchable documents and thereafter to be able to review the discovery.

As stated in defendant's prior Motion, the arraignment in this matter occurred on Feb. 5, 2013, counsel was appointed to represent defendant, and a discovery deadline of February 25, 2013, was set by the court. (Doc. 25). Additionally, the court set a motion deadline of February 25, 2013. (Doc. 25). Counsel for defendant received discovery before the February 22, 2013

deadline, and has discovered that the discovery in this case is in excess of 8,400 pages.

Additional discovery was furnished by the plaintiff on March 6, 2013.

The expert to assist the defendant in this matter has obtained both the initial 8,400 pages of discovery and the additional discovery in this matter and is in the process of preparing the discovery such that it can be appropriately managed and reviewed. Motions cannot be appropriately made at this time as the expert has not been able to complete the task of preparing the documents for the defendant.

It would be impossible to proceed with the case within the time limits of the Speedy Trial Act, that the ends of justice served by the granting of a continuance outweigh the best interest of the public and the defendant in a speedy trial, that a miscarriage of justice would most likely be the result if the case was required to proceed within the time limits of the Speedy Trial Act, that the case is so complex that it would be unreasonable to expect that the case proceed within the time limits of the Speedy Trial Act, that there is a need by the defendant for sufficient time in order to be effectively prepared and that it is in the interests of the public and the defendant to toll the time limits of the Speedy Trial Act

It is requested that the defendant be granted an extension of time for eight (8) weeks from the date of this Motion making the motions deadline due on May 20, 2013.

DATED this 25<sup>th</sup> day of March, 2013.

/s/ Randy S. Ludlow  
RANDY S. LUDLOW